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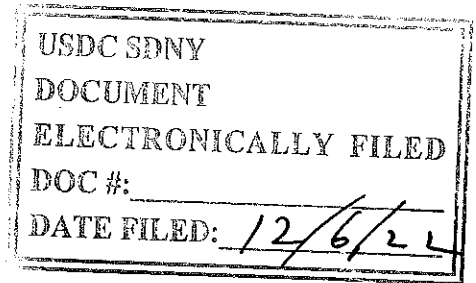
MEMO ENDORSED

December 6, 2022

Via ECF

Hon. Lewis A. Kaplan, District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: USA v. Jason Camacho
Dkt# 21-CR-00366-LAK



Honorable Justice;

I, Dawn M. Florio, Esq., represents Jason Camacho on the above instant matter dated December 13, 2022 @ 230pm for an in-person sentencing.

Defense's Sentencing Memo was due November 29, 2022. Due to the back to back Murder trials and just receiving a verdict last week, I had fallen behind. I am requesting at least a 30 day sentencing adjournment in order to meet with our client and submit our Memo. We understand that this will push the Governments' Submission date and well as the sentencing date. I have spoken to AUSA Camille Fletcher and she consents to this request. I apologize to the court and all parties for the inconvenience this will cause and exclude time under the Speedy Trial Act until a date has been selected. I am requesting that this application be acknowledged and considered.

Should your Honor have any questions or concerns, please feel free to contact my office at your earliest convenience.

Sincerely,

Dawn M. Florio

Dawn M. Florio, Esq.
Attorney for Jason Camacho

CC: All Counsel

Memorandum Endorsement

United States v. Camacho, 21-cr-366 (LAK)

Defense counsel yet again seeks a postponement, this time of sentencing. Ordinarily, such adjournments are granted virtually as a matter of course. But this one is more troublesome.

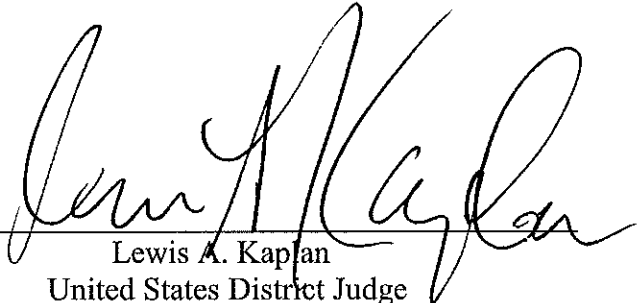
Prior to the present case, the defendant had been convicted of criminal possession of a weapon, attempted robbery, and conspiracy to commit armed robbery. He pleaded guilty in this case to being a felon in possession of a firearm, viz. a .357 Taurus revolver. He obviously is a dangerous fellow, and – as a result of a perhaps doubtful bail decision and the lack of an appeal by the government – has been at large since his arrest almost two years ago, significantly though not entirely by virtue of defense counsel’s several requests for adjournments. Indeed, when she last previously sought a postponement in September on the basis of claimed competing demands on her time, the Court denied the adjournment and instructed her associate to be present if Ms. Florio was occupied with other matters. The Court then wrote that “[t]his defendant is at liberty, poses a danger, and must proceed with this case. If Ms. Florio is too busy, he will have to get another lawyer.” And here we are, three months later, with Ms. Florio having failed to file her sentencing memorandum when required and seeking another postponement of “at least” 30 days.

No doubt Ms. Florio is a busy lawyer. But this cannot go on as it has.

In all the circumstances, the Court extends the time within which defendant shall file any sentencing memorandum to and including December 19, 2022 no later than 3 p.m. Sentencing is postponed to December 20, 2022 at 11:30 a.m. Absent extraordinary circumstances, no extensions or postponements are likely to be granted.

SO ORDERED.

Dated: December 6, 2022



Lewis A. Kaplan
United States District Judge